

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

400R0372

HOUSE APPROPRIATIONS ENGROSSED NO. **HB 1026** - 2/12/2010

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to construct phase II of
2 the Electrical Engineering and Computer Science Building on the campus of South Dakota
3 State University, to accept donations for such purpose, to acquire land incidental thereto,
4 and to make appropriations therefor.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

6 Section 1. The Board of Regents may contract for the construction, completion, furnishing,
7 equipping, and maintaining of, including heating, air conditioning, plumbing, water, sewer,
8 electric facilities, sidewalks, parking, landscaping, architectural and engineering services, and
9 such other services or actions as may be required to construct, phase II of the Electrical
10 Engineering and Computer Science Building, not to exceed twenty-nine thousand gross square
11 feet, on the campus of South Dakota State University in Brookings, South Dakota.

12 Section 2. There is hereby appropriated from other fund expenditure authority the sum of
13 five million one hundred twenty-five thousand dollars (\$5,125,000), for the total project cost
14 authorized by this Act.

15 Of that sum:



- 1 (1) Four million four hundred thousand dollars (\$4,400,000) shall be payable from funds
2 donated for the purposes of this Act, and are appropriated for project costs other than
3 those authorized in subdivision (2) of this section or section 6 of this Act;
- 4 (2) Four hundred fifty thousand dollars (\$450,000) in other funds arising from sponsored
5 program indirect receipts are appropriated to construct and to equip a photovoltaic
6 laboratory within the facility; and
- 7 (3) Two hundred seventy-five thousand dollars (\$275,000) from the grant and contract
8 indirect recovery, plant, and royalty funds, are appropriated for the purpose of
9 purchase of the property described in section 6 of this Act.

10 Section 3. Expenditure authority may be increased based on the receipt of grants or
11 donations received pursuant to this Act. However, no adjustment to any cost estimate may
12 exceed one hundred twenty-five percent of the authorized expenditure authority stated in section
13 2 of this Act. No increase in gross square footage authorized by section 1 of this Act may exceed
14 ten percent. Any increase in gross square footage may only be made to accommodate design
15 changes needed to comply with building code requirements and to address unforeseeable
16 structural, subsoil, or environmental conditions.

17 Section 4. The design and construction of the facility authorized in this Act shall be under
18 the general supervision of the Bureau of Administration as provided in chapter 5-14. The
19 commissioner of the Bureau of Administration and the executive director of the Board of
20 Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures
21 authorized by this Act. No contract for construction may be issued until the donated funds
22 referred to in section 2 of this Act have been accumulated sufficient to pay for the construction,
23 completion, furnishing, equipping, including heating, air conditioning, plumbing, water, sewer,
24 electric facilities, sidewalks, parking, landscaping, and architectural and engineering services,

1 required to construct the facility.

2 Section 5. For the purposes of this Act, the term, gross square footage, means the sum of all
3 areas on all floors of a building included within the outside faces of the building's exterior walls,
4 including floor penetration areas, however insignificant, for circulation and shaft areas that
5 connect one floor to another as computed by physically measuring or scaling measurements
6 from the outside faces of exterior walls, disregarding cornices, pilaster, buttresses, etc., which
7 extend beyond the wall faces. The term includes excavated basement area; mezzanines and
8 attics; garages; multiple floor parking structures; enclosed porches, inner or outer balconies
9 whether walled or not, if the balconies are utilized for operational functions; and corridors
10 whether walled or not, if the corridors are within the outside face lines of the building, to the
11 extent of the roof drip line and the footprints of stairways, elevator shafts, and ducts on each
12 floor through which the corridors pass. The term does not include open areas such as unenclosed
13 parking lots, playing fields, courts, and light wells, clear span areas not exceeding three feet in
14 height, or portions of upper floors eliminated by rooms or lobbies that rise above single-floor
15 height.

16 Section 6. In order to secure regular dimensions for the site of the construction authorized
17 in this Act, the Board of Regents may purchase improved real property adjacent to the campus
18 of South Dakota State University at a cost not to exceed two hundred seventy-five thousand
19 dollars. The parcel of real property is described as follows:

20 W 85' of Lots 1, 2 and 3, Block 1, Wheaton's addition, City of Brookings, Brookings
21 County, South Dakota.

22 Section 7. The Board of Regents may sell, dismantle, or otherwise dispose of any
23 improvements on the property described in section 6 of this Act.

24 Section 8. The board shall require the establishment of an endowment or the provision for

1 other nonstate fund revenue sources in the amount of five hundred twelve thousand five hundred
2 dollars to cover projected operating, maintenance, or repair costs related to the project
3 authorized in this Act.